

# SENATE RECORD VOTE ANALYSIS

104th Congress  
2nd Session

Vote No. 293

September 18, 1996, 2:00 pm  
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## FEDERAL AVIATION REAUTHORIZATION & REFORM/Passage

**SUBJECT:** Federal Aviation Administration Reauthorization Act of 1996 . . . H.R. 3539. Final passage, as amended.

**ACTION: BILL PASSED, 99-0**

**SYNOPSIS:** As passed, H.R. 3539 will authorize \$9.28 billion for the Federal Aviation Administration (FAA), including: \$5 billion for operations; \$2.28 billion for the Airport Improvement Program (AIP); \$1.8 billion for facilities and equipment; and \$200 million for research, engineering, and development. Additionally, the bill will make numerous safety, security, management, and service reforms, including the reforms noted below.

**Safety:**

- the classification of accident and safety data will be improved; and
- data on pilots' employment and performance records will be collected.

**Security:**

- criminal history record checks will be required for screeners;
- passenger screening processes will be enhanced;
- the interim deployment of commercially available explosive detection systems will be required at many airports;
- the purchase of the latest explosive detection systems will be authorized; and
- regular joint threat assessments by Federal agencies will be required.

**Management reforms:**

- The "Air Traffic Management System Performance Improvement Act" section of the bill will give the FAA more autonomy but it will remain under the Department of Transportation (DOT);
- direct aviation community input will be provided through a newly created Management Advisory Council;
- an 11-member task force will make an independent assessment of the FAA's needs and will develop specific recommendations for long-term FAA funding, which it will submit to the DOT, which will prepare legislation, which Congress will consider under expedited procedures;

(See other side)

YEAS (99)				NAYS (0)		NOT VOTING (1)	
Republican (53 or 100%)		Democrats (46 or 100%)		Republicans (0 or 0%)	Democrats (0 or 0%)	Republicans (0)	Democrats (1)
Abraham	Helms	Akaka	Inouye				Rockefeller- <sup>2</sup>
Ashcroft	Hutchison	Baucus	Johnston				
Bennett	Inhofe	Biden	Kennedy				
Bond	Jeffords	Bingaman	Kerrey				
Brown	Kassebaum	Boxer	Kerry				
Burns	Kempthorne	Bradley	Kohl				
Campbell	Kyl	Breaux	Lautenberg				
Chafee	Lott	Bryan	Leahy				
Coats	Lugar	Bumpers	Levin				
Cochran	Mack	Byrd	Lieberman				
Cohen	McCain	Conrad	Mikulski				
Coverdell	McConnell	Daschle	Moseley-Braun				
Craig	Murkowski	Dodd	Moynihan				
D'Amato	Nickles	Dorgan	Murray				
DeWine	Pressler	Exon	Nunn				
Domenici	Roth	Feingold	Pell				
Faircloth	Santorum	Feinstein	Pryor				
Frahm	Shelby	Ford	Reid				
Frist	Simpson	Glenn	Robb				
Gorton	Smith	Graham	Sarbanes				
Gramm	Snowe	Harkin	Simon				
Grams	Specter	Heflin	Wellstone				
Grassley	Stevens	Hollings	Wyden				
Gregg	Thomas						
Hatch	Thompson						
Hatfield	Thurmond						
	Warner						

**EXPLANATION OF ABSENCE:**

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

**SYMBOLS:**

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

Compiled and written by the staff of the Republican Policy Committee—Larry E. Craig, Chairman

- airports will be allowed to use passenger facility charges to pay for unfunded Federal mandates; and
- the FAA will be given a 3-year appropriations cycle.

Service:

- a fee will be charged for overflights of the United States that neither take off nor land in the United States, and \$50 million of the \$100 million that will be collected will be used to pay for the Essential Air Service program;
- a pilot project will be established on airport pavement maintenance;
- the Secretary of Transportation will conduct a comprehensive study on rural air service and fares; and
- protection will be given to small airports in the event of funding downturns in the appropriations process.

Miscellaneous:

- a program will be established to provide for adequate notification of advocacy services for the families of victims of aircraft accidents;
- current licensing authority of the Office of Commercial Space Transportation will be expanded;
- the Environmental Protection Agency will consult with the FAA prior to establishing new aircraft emission standards;
- it is the sense of the Senate that "if evidence establishes beyond a clear and reasonable doubt that any act of hostility toward any United States citizen was an act of international terrorism sponsored, organized, condoned, or directed by any nation, a state of war should be considered to exist or to have existed between the United States of America and that nation, beginning as of the moment that the act of aggression occurs;"
- the Surface Transportation Board will not increase fees for services in connection with rail maximum rate complaints; and
- the "Pension Audit Improvement Act" will be passed, which will amend the Employee Retirement Income Security Act (ERISA); under ERISA, the administrator of a pension benefit plan is required to engage an independent qualified public accountant to examine the financial statements of the plan and render an opinion on those financial statements, though the accountant need not render an opinion on plan assets that are held by a bank, insurance company, or other financial institution subject to State or Federal regulation; when a plan has a material portion of its assets in regulated financial institutions, an accountant typically issues a "disclaimed opinion;" this bill will amend ERISA by requiring accountants to issue opinions that consider plan assets held by regulated financial institutions; in most cases accountants will be able to rely on other audits of those institutions that are required under current law rather than performing duplicative audits of them.

**Those favoring final passage contended:**

The bill before us is more than a simple reauthorization of the Federal Aviation Authorization Act. It is a comprehensive, bipartisan bill that will make a wide range of critically needed improvements to our Nation's air transportation system. Funding issues, security, infrastructure development, rural service, and management issues are all addressed. Everyone who flies will benefit from this bill. Air travelers, airports of all sizes, airline employees, the Federal Aviation Administration, major, regional, and short-haul carriers, general aviation pilots and manufacturers, and all others in the aviation industry have a large stake in the passage of this major reform bill.

Though there are literally dozens of major provisions in this bill, three broad areas merit special comment. First, the bill will take steps to make air travel, which is already the safest form of transportation, even safer. Second, a task force will be set up to devise an equitable and efficient funding system for the FAA. Many of us would have preferred to have gone even farther by making the FAA self-reliant with a user fee, but we are pleased that this first step will be taken. Another focus of this bill is to improve security. Suggestions from Members on both sides of the aisle as well as by the Administration were included in this area. This bill will improve aviation security by enhancing passenger screening processes, authorizing the purchase of the latest explosive detection systems, requiring criminal history record checks on screeners, and by requiring regular joint threat assessments. The final area that needs to be highlighted is that this bill will help rural air service. It will reauthorize the Essential Air Service Program, it will require the Secretary of Transportation to conduct a comprehensive study on rural air service and fares, and it will provide protection to small airports in the event of funding downturns in the appropriations process. These and other reforms will help smaller airports, which have been losing service since airline deregulation legislation was enacted many years ago.

We know that most Senators find one or two parts of this bill to be objectionable, but we are confident that most if not all Senators strongly support it on balance. We are thankful to the Commerce Committee for resolving so many contentious issues in an amicable and constructive manner. We are pleased to have the opportunity to vote in favor of this major reform bill.

**No arguments were expressed in opposition to final passage.**